

By: Creighton

S.B. No. 2488

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a political subdivision to adopt or enforce certain regulations regarding whether a private employer may obtain or consider an employment applicants' or employees' criminal history record information.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle D, Title 2, Labor Code, is amended by adding Chapter 83 to read as follows:

CHAPTER 83. LOCAL REGULATION OF EMPLOYMENT PRACTICES

Sec. 83.001. DEFINITIONS. In this chapter:

(1) "Applicant" means a person who has made an oral or written application with a private employer, or has sent a resume or other correspondence to a private employer, indicating an interest in employment.

(2) "Criminal history record information" has the meaning assigned by Section 411.082, Government Code.

(4) "Employer" means a person who employs one or more employees.

Sec. 83.002A. CONSIDERATION OF CRIMINAL HISTORY RECORD INFORMATION OF EMPLOYMENT APPLICANT OR EMPLOYEE. A political subdivision of this state may not adopt or enforce any ordinance, order, rule, regulation, or policy that prohibits, limits, or otherwise regulates a private employer 's ability to request, consider, or take employment action based on the criminal history

1 record information of an applicant or employee.

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3           SECTION 2. Chapter 83, Labor Code, as added by this Act,  
4 applies to an ordinance, order, rule, regulation, or policy adopted  
5 before, on, or after the effective date of this Act.

6           SECTION 3. This Act takes effect September 1, 2019.

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